

NEW SOUTH WALES PARLIAMENTARY DEBATES.

TWENTY-FIRST PARLIAMENT—SECOND SESSION.

OPENING OF PARLIAMENT.

THE First Session of Parliament was prorogued by Proclamation dated 20th December, 1907, until 4th February, 1908; thence to 3rd March; thence to 10th March, for the despatch of business; and the Second Session commenced on that day.

Parliament was opened by His Excellency the Governor.

Legislative Council.

Tuesday, 10 March, 1908.

Governor's Speech—Mr. B. R. Wise (Name Struck off the Register)—Leave of Absence—Assent to Bills—Law of Evidence Bill (*formal*)—Governor's Speech: Address in Reply—Adjournment.

The PRESIDENT took the chair at noon.

The Acting Clerk of the Parliaments read the proclamation convening Parliament.

GOVERNOR'S SPEECH.

His Excellency the Governor entered the Chamber, and was received by the President, accompanied by other members and officers of the House. A message was forwarded to the Legislative Assembly, intimating that his Excellency awaited the attendance of hon. members of that House, who being come with their Speaker, his Excellency was pleased to deliver the following speech:—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

1. The life of the Industrial Arbitration Act, 1901, will come to an end on 30th June next, and my advisers are of opinion that further legislation is neces-

sary to render the methods of settling industrial disputes more expeditious, less costly, and more effective.

2. It is desirable that ample time should be allowed for the proper discussion of this new measure in Parliament, and arranging for the necessary machinery, so that there shall be no interval between the termination of the existing statute and the coming into operation of the new law.

3. Certain suits have been instituted in the Supreme Court challenging the action of the Improvement Leases Board in cancelling certain leases under the authority of the Improvement Leases Cancellation Act, 1906. As a result, the development of the policy of closer settlement may be materially impeded. You will, therefore, be asked to pass a measure whereby the intentions of the Legislature on this subject will be placed beyond all doubt.

4. My advisers recognise the importance of these subjects being dealt with as soon as possible, and I have therefore called you together at the earliest opportunity for the purpose of enabling you to give parliamentary sanction to their proposals.

5. As you have been summoned at much personal inconvenience and brief notice, the business to be submitted to you will be limited to that which has been indicated.

6. I now leave you to your important deliberations, with an earnest prayer that, under Divine guidance, your labours may promote the best interests of all classes of the people.

House adjourned at 12.12 p.m., until 4 p.m.

The PRESIDENT took the chair at 4.30 p.m.

MR. R. R. WISE.

NAME STRUCK OFF THE REGISTER.

The PRESIDENT: I have to announce that Mr. Bernhard Ringrose Wise, K.C., having for two successive sessions of the Legislature of the state failed to give his attendance in the Legislative Council without the permission of his Majesty, or of the Governor of this state, signified by the said Governor to the Legislative Council, and having thereby, under the 19th section of the Constitution Act, No. 32, 1902, vacated his seat, it has become my duty to direct the name of that gentleman to be struck from the register and alphabetical list of members.

LEAVE OF ABSENCE.

The PRESIDENT announced the receipt of a message from the Governor, intimating that his Excellency had been pleased to grant leave of absence for twelve months to the Hon. G. F. Earp, and the Hon. F. Jago Smith.

ASSENT TO BILLS.

Royal assent to the following bills reported:—

Closer Settlement (Amendment) Bill.
Loan Bill.
Appropriation Bill.
Mining (Amendment) Bill.
Lockhart to Clear Hills Railway Bill.
Wallsend to West Wallsend Tramway Bill.
Narromine to Peak Hill Railway Bill.
Parramatta Friendly Societies Hall Site (Amendment) Bill.
Drummoyne to Ryde Electric Tramway Bill.
Poor Prisoners' Defence Bill.
Invalidity and Accidents Pensions Bill.
Liquor (Amendment) Bill.
Public Works (Interest) Bill.
Ministers' Salaries Bill.

LAW OF EVIDENCE BILL (Formal).

Bill presented, and, on motion of the Hon. J. Hughes, read the first time.

GOVERNOR'S SPEECH: ADDRESS IN REPLY.

The PRESIDENT reported that he had received a copy of the speech delivered by his Excellency the Governor.

The speech was read by the Clerk.

The Hon. A. W. MEEKS moved:

That the following address be presented by the whole House to the Governor, in reply to the speech which his Excellency has been pleased to make to both Houses of Parliament, viz.:—

To his Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight Grand Cross of the Most Honorable Order of the Bath, Governor of the State of New South Wales and its dependencies, in the Commonwealth of Australia.

May it please your Excellency,—

We, his Majesty's loyal and dutiful subjects, the members of the Legislative Council of New South Wales, in Parliament assembled, desire to express our thanks for your Excellency's speech, and to assure you of our unfeigned attachment to his most gracious Majesty's throne and person.

We beg to assure your Excellency that our earnest consideration will be given to the measures to be submitted to us.

We join your Excellency in the hope that, under Divine Providence, our labours may prove of benefit to all classes of the people.

He said: The speech which his Excellency made to the House to-day was very brief. It deals with only two subjects. Paragraph 5 says:

As you have been summoned at much personal inconvenience and brief notice, the business to be submitted to you will be limited to that which has been indicated.

I take it therefore that the business for which we have been called together is to be limited entirely to the two measures which are referred to in paragraphs 1; 2 and 3. Hon. members will remember that when the Industrial Arbitration Act was passed some seven years ago it was proposed to limit it to two Parliaments. Ultimately it was extended for a further period of twelve months, so that the Industrial Arbitration Act should not be the only measure that would be discussed at a general election. In regard to this measure I think that Parliament,—certainly this House—looked upon it as an experiment. We were assured that if the bill were passed strikes would be things of the past. We were told that

similar legislation had worked satisfactorily in New Zealand, but that there were certain amendments desirable to make it a better working measure. The measure has been in existence since 1901, but there have been a good many strikes. Certainly it has not realised the expectations which were foreshadowed by the introducer of the measure at the time it was brought forward. Eloquently as he put before us the principles of the measure and all its advantages, the result has not come up to what was then predicted would follow the passing of the measure. There have been a good many strikes, and great difficulty has been found in carrying out the measure in a satisfactory way. It has been found to be the cause of the great delay which has taken place in dealing with certain cases. From my own personal experience I know it is rather an expensive undertaking to go before the Arbitration Court in regard to any disagreement. But, unfortunately, the address does not disclose the form the new measure is to take. The public press, on information officially supplied, has indicated that, instead of an Arbitration Court, some scheme of wages boards such as exist in Victoria is to be adopted; but, as I say, we have no evidence of that in the Governor's speech. So far as that particular form of dealing with industrial disputes generally is concerned, we know from paragraphs we have read recently that the wages boards have been found to work in a most satisfactory manner in Victoria, and that they have not had a strike under that system. In other words, the awards of the boards have invariably been carried out. They certainly have had one serious strike, but in that case the question in dispute was not one of wages, but related to the hours of labour. I do not intend to go further into the question, because all we are told is that further legislation is necessary to render the matter of settling industrial disputes more expeditious, less costly, and more effective. I am quite certain that hon. members are unanimously of the opinion that more expedition is required in settling industrial disputes, and that they should cost as little as possible, and also that something should be done to make the system more effective than the present Arbitration Court. But

as regards the measures to be adopted here, we are not in a position to express an opinion, and in the address in reply which I have just read, we merely declare that we shall give our most earnest consideration to whatever measures are submitted, and that is all we can do at this stage, in the absence of detail. I have said sufficient to show that, in my opinion, some improvement can be effected, but whether it should be in the direction of abolishing the existing court, or of an amendment of the existing act, or the adoption of a new system altogether, I am not now prepared to say. The fact remains that it is urgently necessary something should be done, and the Government contemplate the introduction of fresh legislation. The present act expires on 30th June. We, therefore, have little time to deal with this matter. The Governor's address alludes to the matter of the Leases Cancellation Act, 1906, and here, again, we are without any knowledge of the form in which the proposed legislation is to be brought forward. Paragraph 3, in its concluding words, tells us:

You will, therefore, be asked to pass a measure whereby the intentions of the Legislature on this subject will be placed beyond all doubt.

I assume that the intentions referred to are the intentions of the Legislature as indicated at the time the original measure was passed. We all know that as the result of defective drafting or of amendments introduced at different times, acts of Parliament have been found not to carry out exactly what the House intended; in fact, I well recollect some time ago reading in one of the newspapers of a barrister who, appearing before a judge, said, "Your Honor, when Parliament passed this act it intended so and so." The judge inquired, "How do you know that?" "Well, your Honor," the barrister said, "I was a member of Parliament at the time." The judge remarked, "Well, they did not say so." That is generally what happens in regard to many of our acts of Parliament—we mean to say something, but our intention is not conveyed by the words of the act, with the result that endless litigation is brought about. We must not grumble if lawyers find out these defects in our acts of legislation. It is their profession, their duty. Personally I know nothing about the measure referred

to in paragraph 3, but I am sure the House does not desire to go back on what it may have intended, and if the act as it stands is not in accordance with what the House understood when it passed the measure then it should be amended in the necessary direction. I feel sure that no objection will be raised to the passing of any measure which will carry out the intentions of a majority of this House. I cannot possibly say more than that with regard to the matter. I will not further occupy the attention of the House. Every hon. member can safely vote for the address in reply, seeing that it simply sets out that our earnest consideration will be given to the measures which will be submitted by the Government. There is nothing conveyed in the address which will bind hon. members to support those measures when they are brought forward.

The Hon. J. GORMLY: Every one will admit that the speech delivered by his Excellency was short, and, like the hon. member who has just moved the address in reply, my remarks in seconding that address will be very brief. We must remember that for a number of years past the progress of the state has to a considerable extent been checked by industrial strife and it must be recognised that unless something is done whereby the different persons affected by the Arbitration Act may be brought closer together and work for the general welfare, our progress will be even more retarded in the future. This is one of the most serious questions we have to face, and I trust the House, in its wisdom, will be able to come to some more satisfactory conclusion than has resulted from carrying out the existing Industrial Arbitration Act. The prospects at the present time appear to be very gloomy. We are threatened time after time with some great industrial dispute, and measures brought forward for the purpose of advancing the progress of the state are seriously jeopardised owing to the absence of some satisfactory means of settling the disputes, in regard to industries which have at various times been before the court under the provisions of the measure passed into law some years ago. As regards the third paragraph of the Governor's speech, I hope that in any measure which may be introduced to make clear the intentions of the Legislature in

[*The Hon. A. W. Meeks.*

the matter of the cancellation of improvement leases, an endeavour will be made to put people in occupation of the land to a greater extent than at present; and it will receive my most hearty support. This country will carry a much larger population than it does at present. Too many of our people are concentrated in the centres of population. They should be in the inland districts endeavouring to make the country more productive. If the Government and Parliament are serious in their desire to push on with such necessary works as water conservation and railway extension, we have land which will within a few years carry ten times the present population. We must not depend on nature alone; we ourselves must be more industrious; we must make the land more productive, and, instead of relying upon natural grasses and natural supplies of water for our stock, we must make vast improvements. If we do that, then in the near future we shall not only have a large amount of produce for export to bring back wealth, but the variety and extent of our exports will be increased. With our limited population, the development of our export trade has been most satisfactory. The production of wool, meat, and butter has advanced to the material advantage of the state; but, given an increased population, and a better use of our land, we shall be able, before many years have passed, to double our productiveness. It is a wise policy on the part of the Government to contemplate the introduction of a measure to make clear the intentions of Parliament in the matter of the cancellation of the improvement leases; and as regards the Industrial Arbitration Act, which is about to expire by effluxion of time, the Government have adopted a wise course in calling Parliament together. I am sure it will be the endeavour of hon. members to pass the measures indicated in the Governor's speech.

Question proposed.

The Hon. Sir NORMAND MacLAURIN: I am sure every hon. member will join with the hon. members who have moved and seconded the address in reply, in congratulating his Excellency upon having summoned Parliament on this occasion. No more important question can come before the House than that of the relations

between, to use an old and well-understood term, masters and servants. We are threatened with industrial turmoil and strife. Not only are the workmen discontented, but the masters also; and the great measure which was to set everything right, and stop all industrial disputes, has turned out to be an absolute failure. I confess that my sympathies are very much with the workmen. They have had to put up with a very great deal. They have not always been able to express really what they wanted; they have not always been reasonable in their requests, but they are the persons who have suffered most. For many centuries this conflict of interests has been going on between the working-man on one hand and the masters on the other. In the middle ages it was put a stop to, to a certain extent, by the institution of guilds which played a very prominent part in the life of the mediæval towns. One of the great objects of the guilds was to prevent the ingress of too many men into particular trades, because no person could exercise a trade unless he happened to be a member of a guild; and, therefore, the flow of people from the country to the towns was to a great extent stopped. But a great change took place when machinery was introduced for manufacturing purposes towards the end of the last century. The old system which had continued so long, and still leaves its traces, was found to be useless, and there then began a very great revolution in the relations between masters and their workmen. For example, in Manchester the relation between the working-men and their employers was more discreditable to the masters than in any other town in England, because workmen were introduced from Rochester and Dorsetshire, where wages were lower than in any other part of the country. They were crowded into the factories in Manchester, and if anyone wanted to find an example of the struggle between workman and employer, I think he would readily discover it in the various reports then brought before the House of Commons as to the way in which men, women, and children were treated—how they were overworked, underpaid, and badly lodged. That struggle has been going on ever since. Of course, there is nothing now so bad as there was at that time, but still the struggle between work-

men and employer goes on. We are disappointed that the Arbitration Act has not brought about all that was expected of it.

The Hon. Dr. CULLEN : It has !

The Hon. Sir NORMAND MacLAURIN : Perhaps I am wrong in saying that it has not brought about all that was expected of it, and should say all that was claimed for it by its advocates. I confess that I voted a good deal against it myself because I thought it would not bring about all that was wanted; but whether it was a right or a wrong bill to pass, the question at issue is one of extreme importance which must be resolved one way or another, to put a stop to the present perpetual fighting, if we can in any way attain that object. Every honest effort to meet this difficulty is one we ought to cordially welcome and consider as fairly as we can. Some authorities recommend that we should have wages boards instead of the Arbitration Court; but I wish to point out that there is a difference between the condition of the working-men in this country and that of the working-men in Victoria. In Victoria, the introduction of federation has brought about an increase of 8s. 1d. per annum in the expenses of the working-man. In New South Wales the increase is £1 5s. 10d. for each person—that is to say, if a man has, as is commonly the case, a wife and three small children he has to pay about £6 10s. extra per annum. That is a very considerable addition to his expenses. If, in addition to that, you find that the cost of his house alone is 10 per cent. more than it was before federation—and that is what architects tell me is the lowest figure at which it can be put—then there is another source of expense to him. Furthermore, if you add to that the various profits which the middlemen take from the time when the Custom House takes the £1 5s. 10d. until the consumer begins to enjoy what he has purchased, and if you add to it also the sympathetic rise in every kind of price that has taken place since that began, you will see that the position of the working-men in this country is by no means so good as it is in Victoria. Therefore, it is easier to deal with the difficulties that arise in Victoria. I am told that about 20 per cent. at least is added to the expenses of every person,

especially of persons in that sphere of life, men working for wages. If we consider that, we shall see that there must be a distinct addition made to the wages in some way or other. Furthermore, there is a very important question with respect to the coal-miners. It has always been the object of people engaged in that particular trade to prevent other persons from entering it unless properly apprenticed or taught the business in some way or other. Under the old guilds apprenticeship was properly carried out, and when they came to an end the trade-unions took their place and were effectual in preventing unskilled people from entering any trade. For many years, the law was against them, but as far as they could they prevented persons unskilled in a trade from exercising it. I understand that in the business of coal-cutting a very great change has taken place in the last few years, owing to the introduction of an electrical system of coal-cutting—that, whereas formerly it was necessary that every man should be a skilled man well acquainted with his business, now it is necessary that only one man in six should know it—the other five may be persons absolutely unskilled. There has always been an objection on the part of workmen to machinery, and the objection to machinery in this case is very natural. Machinery will come into use, and must be put up with, but still the objection to it is very strong. That is another reason why some kind of excuse should be made for the unrest that at present exists in the labour market. All these things make me desirous, if possible, to find some means by which the natural desire of the working-man to be rather better off than he is now should be met. Whether it would be done by an amendment of the Arbitration Act, or whether we should succeed in doing it by means of wages boards, is a matter I am hardly able to say anything about. We must wait and see what the measure the Government will bring before us. I simply point out that what was comparatively easy in Victoria, from the fact that the expenses of the working-men there have not been so greatly increased, will be much more difficult in this country. It may be that some amendment of the Arbitration Act will be successful, but whatever the measure may

[*The Hon. Sir Normand MacLaurin.*

be I am sure that we should be thankful to the Government for having given us an opportunity to consider the matter. In regard to the other question mentioned in his Excellency's speech, I think that a considerable modification of the act passed by Parliament last session is required. For my own part, I was very little in favour of it. It may be said that it is no fault of the lessees that their leases were found to be irregular; therefore, I should be inclined to leave the matter alone altogether, in particular with respect to those lessees whose leases were signed on the 1st January instead of on the 31st December. I would certainly leave them out altogether, because it was no fault of theirs that the leases were not signed on the 31st December. I think those gentlemen have been treated with great hardship, and I hope the Government, if they can, will do something to meet their case.

The Hon. J. ASHTON: The hon. gentleman is referring to cases where no large fees were paid?

The Hon. Sir NORMAND MACLAURIN: I am referring to those particular cases where I believe no large fees were paid.

The Hon. J. ASHTON: That is the class of cases the hon. gentleman is referring to?

The Hon. Sir NORMAND MACLAURIN: That is the class of cases I am referring to now. I do not think that big fees were paid in those cases. Where a man simply gets a lease of forty or twenty-four years, or whatever the term may be, and afterwards finds his lease is either taken away or reduced to ten years, simply because it was signed on the 1st January instead of the 31st December, then I think that such a one has a case which ought to be carefully considered, and I am sure the Government never intended that he should be seriously injured because, owing to circumstances over which he had no control whatever, the lease, which should have been signed on 31st December, was not signed until the 1st January. I trust the Government will take that matter and various others into their consideration, and I am sure that we shall be very glad to pass reasonable legislation to meet the very important objects we have in view.

The Hon. Dr. NASH: In looking at his Excellency's speech, I should like to

suggest to the Government, who, of course, intend to be the ruling power in this country for many years to come, that in future speeches from the throne they should set an example in those amenities of life which contribute so much to the happiness of the individual and the community—that they should begin the speech in a way which precedent has always assigned, and put it a little more politely. Hon. members, by referring to previous speeches, and comparing them with this one, will notice that the first paragraph usually inserted is left out on this occasion. I do not pretend to be more particular than other people, but it certainly did grate on my nerves as a member of this House that whoever was responsible did not think fit to begin the speech in the ordinary way by saying, “It affords me much pleasure to call you together for the discharge of your high and important duties,” instead of saying, “Here you are; go to this Arbitration Act, and fight it out.”

The Hon. J. ASHTON: I am afraid that would not be quite true!

The Hon. Dr. NASH: That is exactly the view I thought they took—that this Parliament was not worth addressing in a reasonable and polite manner. My hon. friend is welcome to the view he takes, and I am glad he confirms my opinion. I say that simply by way of introduction to the few remarks I wish to make. In regard to the remarks of the hon. member, Sir Normand MacLaurin, on federation and its cost, I should like to say that the position of New South Wales at the inauguration of federation was entirely different from that of Victoria, because Victoria was a protectionist state which my hon. friend wished to make this state, and now we have become a protectionist state, he brings forward results that are produced by the very cause which he and I have always advocated; but he must not forget that if he looks at the figures of intercolonial business now, the results of federation in that respect have been that we for the last year were millions ahead of any other state in our trading relations with the other states. We have to pay for it, of course—you have to pay for everything, as far as I have seen, in this world—and I think that my hon. friend should be the

last man to growl at having to pay for it in that way. I am not going to pursue the question any further.

The Hon. Sir NORMAND MACLAURIN: I was merely stating a fact!

The Hon. Dr. NASH: I am admitting it. Now, in regard to the Arbitration Act. The hon. gentleman who proposed the adoption of the address in reply seemed to think that the Arbitration Act was a total failure.

The Hon. A. W. MEEKS: I did not say so!

The Hon. Dr. NASH: I am prepared to say that it has accomplished everything I expected of it. I would ask hon. gentlemen to look back over the six years that have passed and point to one general convulsion that has occurred in the six years.

The Hon. F. FLOWERS: It has prevented several!

The Hon. Dr. NASH: To my personal knowledge it has prevented two of the greatest convulsions that ever could have happened in this state from happening. One was when the shearers threatened to go out. That was absolutely prevented by the existence in this state of the Arbitration Act. And what are the personal and small things to which the hon. member, Mr. Meeks, referred in comparison with a general convulsion? Does not the hon. member remember that he and his colleagues, and all the friends that he could get together in a general convulsion, had to become special constables.

The Hon. A. W. MEEKS: I was never a special constable!

The Hon. Dr. NASH: All the hon. member's employees and the people he could get together were special constables. They were marching through the streets of Sydney engaged in this terrible industrial warfare.

The Hon. F. FLOWERS: Civil war!

The Hon. Dr. NASH: Civil war. But for six years we have not had a general convulsion in any of the great industries or combinations in this state. And in this relation this state is entirely different from any other state, because there are no combinations of workmen in the other states comparable in numbers with the combinations of workmen in this state. There was last year and the year before a period in the coal-mining industry of Newcastle when things were in a fit condition

to bring about a universal industrial crisis, and I have not the least hesitation in saying that there would have been that result, had not the Arbitration Act been in force. Now, if the Arbitration Act has done that, has it not done enough for its first period of existence? It is a matter of history that, when bills become acts and are launched on the country, to be administered by the judicial bench and to be torn to tatters by the officials of the court, it has always been found that amending acts have to be brought in, that repairs have to be made in the acts, and that things have to be made clear. I take it that that will now be done by this Government, that is if they grasp this matter like statesmen, and not, unfortunately, as they have done of late in regard to the petty fights and troubles that have been going on, and as to which they have not taken a firm hand and said "This must not be." I believe that in the present Arbitration Act, if properly administered, there is power to stop any industrial trouble; but what good is the act if it is not properly administered? And I think that the failings of this Government in this matter are greater than those of the Carruthers Government. Take the coal industry in the north. A couple of years ago a convulsion was threatened there, brought about in the same way that certain petty disturbances have been brought about of late; that is, by boys coming out and giving trouble. There was a crisis threatened there, but it was stopped by two men who met the individuals who were going to bring about the crisis. They patted them on the shoulders and said "You do what you threaten, and we shall put in force the penalty sections of the act." I know of my own knowledge that, as soon as they were so informed, they went home and were at work the next morning. They were humble individuals and were not prepared to face the law. They were frightened by the mere mention of the threat that they were to suffer personally for their own acts. There is power in the Arbitration Act, as it at present exists, to do all this. I hope that when the Government attack this matter they will attack it in a statesmanlike manner. There is no difficulty in it as far as I can see. It can be done if they handle it properly. But if they get

[*The Hon. Dr. Nash.*]

hold of it as a boy gets hold of a nettle, who feels all round it and is afraid of being stung, there is no use in their attempting to do anything. The question must be grasped firmly and with determination. The Government must say that, in the interests of the third party—that is the onlooker—there shall be no disturbance of a general kind in New South Wales caused by employers or employees. If they do this I have every confidence in the future, and they will have my utmost support. But if it be a tinkering, half-hearted, imbecile sort of method of dealing with these things, then I fear I shall be amongst those who will have nothing to do with them. Now there are two matters to which I wish to refer. One has a somewhat wide significance, but the other has a somewhat narrow significance. I would go into the one question more lengthily, but the reason for doing so has passed, because the gentleman in question offered a sort of apology, and the apology was accepted. A gentleman who holds a high place in the Commonwealth lately launched in this state certain statements which were said to be accusations against the miners of the Newcastle district. I happen to have special knowledge of this matter, and special reasons for knowing all about it, because I lived and practised in that district for a long series of years. And I say of the population among whom I practised—and I lived in the most thickly populated portion of the Newcastle district—there never was at any time more drunkards or more men who neglected their work than I could count on the fingers of my two hands. I am referring to a population of 5,000 or 6,000 people. I knew them in their homes and at their work, and I knew their families. And it is because of that knowledge that I say the statements which have been made are absolutely and entirely untrue. I now wish to bring under the notice of the Government a small fact which accidentally came to my knowledge and rather upset me. I should not have brought it forward here, except that I communicated officially with the Government in the last fortnight on the matter. I went to-day to see whether any action had been taken, but I found that none had been taken. So I consider it is extremely proper that I should bring the matter before the re-

presentative of the Government. It is a matter which concerns the Government Post Office Savings Bank. This bank is, I presume, kept open by the Government to encourage thrift. I am not referring to the Barrack-street Bank, but the one for which the Government are entirely responsible, and to manage which they appointed commissioners. These commissioners run the bank under the responsibility of the Government, and I take it that the Government use the whole of the money deposited there. Last year the sums deposited amounted to £8,883,000, to the credit of over 270,000 depositors. I happened by accident to have to go the other day to that bank to pay in a small deposit. I wanted to lend the Government a small amount of money, not from myself, as I had not any, but from some minors in whom I am personally interested. I went in and I asked for a book, and after some negotiations over the counter with some boys, I was presented with a book, and a demand was made upon me for a shilling. I said, "When do I get my shilling back?" and the clerk said, "You will never get it back." I said, "Have I to pay a shilling for this book?" and he said, "Yes." Why the book is not worth the fraction of a penny. The way the Government gets the book it is worth practically nothing. However, I paid 2s. for two books; I could not get out of it. I was nearly sending in an account for a fee, as I had to instruct one of the boys how to fill in the names properly. I ought to have been paid a guinea for that; but that is neither here nor there. They charged me a shilling for each book. And I read a notice stating that the Government also charge a shilling to every depositor in the bank for keeping his account during the year. What does that mean? They take deposits from 1s. upwards, and they charge these poor people 2s. for the first year for having anything to do with them. They offer to give them 3 per cent. interest; but a person who pays in £3 in the first year actually receives no return. And for every subsequent year any one who has anything to do with that bank is charged the interest on 30s. for having his account kept there.

The Hon. A. W. MEEKS: The banks charge 10s. a year!

The Hon. Dr. NASH: My hon. friend pays his 5s. half-yearly willingly, and so do I, but the matter I am referring to is a Government matter. And when the hon. member buys Government stock, the Government give him 5, 6, 7, 8, or 10 per cent. discount for a start, and he expects them to pay his broker. That is how they treat my hon. friend; but in the case of a poor person who has nothing, and cannot defend himself, instead of giving him interest on his money, they take that interest from him the first year. Is that fair and just to these poor people, especially in view of the fact that in the case of my hon. friend, or a money-lender in England, they will give him a discount on his £100 when he gives it to them, and will also pay his broker, so that the whole transaction costs him nothing. I did not like the bank charge. I feel I have been "had" for 4s. by the Government under false pretences. I wrote to the Treasurer to ask him about this matter, and I got an official note which said practically nothing. I took the trouble this morning to go and see whether the notice is still in the bank, and I find that it is still there. The Government get a good revenue in this way. The number of depositors last year was 270,982, and they charge every one of these persons 1s. This amounts to a fair round sum. I do not know how many of these are new depositors. I tried to find out how many depositors there were in the Government Savings Bank who had less than £3 to their credit, and I was informed that there were no figures of that kind, so I could not get the information. But there must have been a large number, comparing the figures with those of the Barrack-street Bank. The amount deposited in that bank was £5,545,000; that is about two-thirds of the amount handled by the Government Savings Bank. The Barrack-street Savings Bank had 56,449 depositors, and the average amount per depositor was £4 1s. 7d. More than half their depositors had deposits under £4. Arguing by analogy, it would follow that about 140,000 people depositing in the Government Savings Bank have amounts of less than £4 to their credit. I cannot say whether this is the case, as there are no figures to prove it. But my authority is a high official in the bank; and I presume the information is correct.

It is unfair to treat poor people in the way to which I have referred. It does not encourage thrift, or bring money into the bank. I went to the Barrack-street Bank to pay in a little sum of money for some minors. I was given a book—a man got it ready for me in a moment—and no charge was made, nor was anything charged for keeping the account, and, furthermore, they give 1 per cent. more interest. I am inclined to give up the Government Savings Bank and go over to the Barrack-street Bank—the institution the Government desire to abolish. The Barrack-street Bank, so far as I know, is dealing with its depositors much more fairly, equitably, and honorably than the Government Savings Bank. Like the Government institution, the Barrack-street Bank will accept a deposit of 1s., or they will take £1, or anything up to £200, but they do not defraud the depositors of anything. Interest is paid on every penny deposited in the bank, and at the end of the year the depositors receive the interest as promised. I looked at the class of people doing business in the Government Savings Bank when I went there, and I saw that they were of a poor and humble type. I take it that they could not work this matter out as I have done, and I felt it incumbent upon me to write to the Treasurer and bring this matter under his notice. I presumed that the hon. gentleman would have done away with it in five minutes, because if it is the business of the Government to protect anybody it is surely their business to protect those who cannot protect themselves.

The Hon. J. ASHTON: Has the Treasurer power to do that under the law?

The Hon. Dr. NASH: The Government are responsible for this savings bank. I do not know whether they have the power or not, but if they have not power then the Government should very soon obtain it, because it is absolutely and entirely improper. I hope that, having ventilated this matter, the Government will write to the commissioners and tell them it must be discontinued. This is something entirely new. There was a time, long ago, when I went to the Government Savings Bank and they made no such charge.

[The Hon. Dr. Nash.]

The Hon. J. ASHTON: The probability is that it is a matter entirely put in the hands of the commissioners under the provisions of the law!

The Hon. Dr. NASH: I thought that would be the excuse put forward by the Government. It is exactly what I want. Is it the duty of the Government to let the commissioners do as they like, to allow them to ride roughshod over these poor and humble people? Is that what the Government are here for, or are they here to protect the poor people who cannot add these percentages up, who cannot get books to work it out; the people who put their shillings by and expect to get a little interest? They are told they will get 3 per cent. interest, but if the commissioners of the savings bank impose the charges I have mentioned, then the Government this session, without a moment's delay, even if they have declared that they will introduce no other measures, should bring in a bill to prevent the commissioners or anyone else from doing such a thing. It is a small matter I admit, but the people who are affected are unable to protect themselves. I have ventilated the matter here with the view of trying to protect them. It is an absolute tax on thrifty people who are laying by a little for a rainy day. With regard to the matters mentioned in the Governor's speech, the clause relating to the cancellation of improvement leases is one I do not understand, but it seems to me odd that the first time an application is made to the court the judge should act as he has done. I do not know how the case stands; I have been told that it is still before the court, and if that is so it seems to me an extraordinary thing that Parliament should be asked to pass amending legislation. I hardly think it is wise for the Government to bring such a measure forward.

The Hon. C. E. PILCHER: To what is the hon. member referring?

The Hon. Dr. NASH: I am referring to the injunction which was granted by Mr. Justice Simpson in the matter of the improvement leases to which the Government have taken exception, and in regard to which they promise to bring forward this second bill. I believe this is the first time the question has been before the court. An injunction was at once

granted and the Government now propose to bring in a bill, as they say, to make clear the intentions of Parliament. But seeing that the matter is still *sub judice* I should say that it was unwise for the Government to contemplate dealing with the matter. I hope that when the Government do deal with these questions it will be in a statesmanlike manner, and that we shall be given an opportunity to frame a measure worthy of this House and of Parliament.

The Hon. W. J. TRICKETT: I wish to say a few words mainly in regard to the proposal to amend the Industrial Arbitration Act which will shortly expire. I quite sympathise with the remark of the hon. and learned member, Sir Normand MacLaurin, that no one can blame the working-classes of this community for seeking to better their lot in life, especially those who follow hazardous occupations, or who hold menial positions. I have always expressed the view that such people should be liberally rewarded for their services. But coming to the question of the Arbitration Act as at present in force, I would ask whether anybody who has watched the course of events can for one moment say that that act has fulfilled the predictions and promises which were made when it was first introduced into this Chamber.

The Hon. H. E. KATER: Made by the mover!

The Hon. W. J. TRICKETT: It is a strange circumstance in connection with this part of our legislation that the proposal to do away with the Industrial Arbitration Act comes with the termination of the membership in this House of that brilliant gentleman, Mr. B. R. Wise.

The Hon. Dr. NASH: Is it proposed to do away with the act?

The Hon. W. J. TRICKETT: I do not know, but when this measure was first introduced in the Council it will be remembered that it was negatived upon its second reading, not on the ground that there was no necessity to try and bring about industrial peace, but upon grounds which were argued solidly by an hon. member I now see in this Chamber—that it would not bring about the results desired by the hon. gentleman who so ably advocated the measure here. I have not looked very closely into the reasons

urged by that hon. and eloquent gentleman, Mr. Wise, when submitting the measure; but I will quote one or two for the information of hon. members, and I will ask if the results anticipated at that time have been achieved. Speaking of the conflicts which took place between capital and labour, Mr. Wise said:

Recognising that the conflict at one time or another must come, what form is that conflict to take? Shall it be the barbarous, the ruinous, the wicked form of a strike or a lockout; or shall it be the humane, the reasonable, and the judicial form of a determination by a court?

The Hon. Dr. NASH: Hear, hear!

The Hon. W. J. TRICKETT: We have got the determination by a court, but that determination is not carried out.

The Hon. Dr. NASH: By whom?

The Hon. W. J. TRICKETT: That is the unfortunate part of it; I will not say by whom. The hon. member argued that it was carried out.

The Hon. Dr. NASH: It is the fault of the Legislature!

The Hon. F. FLOWERS: It is the fault of the administration, not the Legislature!

The Hon. W. J. TRICKETT: An act of Parliament which is capable of being so faultily administered as to utterly fail in the first principles it is intended to cure must prove by its working that it is a failure.

The Hon. Dr. NASH: No, that we are bad legislators!

The Hon. W. J. TRICKETT: No. Let me read another short passage from the speech delivered by the Hon. Mr. Wise with regard to this very same measure.

I am now discussing the preliminary stages in connection with a dispute, and I am urging, as one argument, that there cannot be a strike under this bill.

Has that been carried out in practice? Listen to this further passage:

There may be many disputes, but there cannot be any interruption of industry, which is one of the most pernicious consequences of the present system in this country.

Hon. members may interject as much as they like, but those are the sentiments of the prime mover with regard to this bill, and I leave it to hon. members to say whether those views have been carried out. The hon. member, Dr. Nash, must have been asleep for the last few years when he says that strikes do not take place.

The Hon. Dr. NASH: There has not been a general strike!

The Hon. W. J. TRICKETT : The hon. member in one breath told us that the present act is absolutely all that is essential for putting an end to strikes, and that when two boys at Newcastle declared that they were going out on strike, some kind old gentleman went up to them and putting his hand on their shoulders said, "My good boys, if you strike you will have to pay the costs of court. Go back to your work," and they went back. That is one of the great reasons advanced by the hon. member why the present act, with all its faults, should be continued in operation. In the next breath the hon. member says "The Government do not administer the act as they should. It needs to be amended, but do not let them amend it in any delicate way, in the way a schoolboy handles a nettle, but let them amend it in a statesmanlike way." When the measure comes up, I hope we shall display an amount of statesmanship, and pass a bill which will not only have the effect of alleviating the troubles and difficulties between capital and labour, but which will make the present tribunal more effective, or, if needs be, introduce some other tribunal under which whatever side is shown to be in the wrong will have to abide by its determination. That is what is wanted in legislation of this kind, and until we get it what earthly use is there in passing acts of Parliament here, when we have a tribunal agreed to by both parties, sitting in Newcastle at the present time, and every day the judge comes upon the bench he is met with trouble from one side or the other? Whether those troubles are on the part of the employers or employees I am not prepared to say, but that is the position. We have the very unpleasant spectacle presented to us nearly every day of the judge and his colleagues coming upon the bench and having to appeal to the parties to be good boys, and not to squabble whilst the case is in progress. "Let us get to business," says the judge, "otherwise we shall have to break up the court." If that is arbitration, what earthly use is it? I have not the least idea as to the remedy the Government propose to introduce. I hope that whatever it is it will be effective, and that it will be the means of introducing finality and of getting rid of this terrible unrest which is evidenced

[The Hon. W. J. Trickett.]

from day to day. With regard to the other measure indicated in the Governor's speech I do not intend to say anything. Apparently it is a legal measure intended, so far as I can see, to put in clear language what was the intention of the act we passed last session. With regard to the savings bank matter mentioned by the hon. member, Dr. Nash, the hon. member said that he gets 1 per cent. more from the Barrack-street Savings Bank than it is possible to get from the Government Savings Bank. If that is correct, the hon. member is a very lucky man, because no one else is getting it. With regard to the small accounts, I quite agree with the hon. member that if some arrangement could be made whereby people who have less than £10 at their credit should be exempted from this charge, it would be a reasonable thing. But on the other hand, knowing as I do the class of people who do business with the Government Savings Bank, not humble people at all, but the best dressed people in the community—and I do not hesitate to say that when I have a few surplus pounds I deposit them with the Government Savings Bank and let them earn a little interest—I ask, why should not those people with considerable sums at their credit, who take advantage of an institution, the upkeep of which involves such tremendous expense, pay his trifling fee? I have not heard any one of them object.

The Hon. Dr. NASH : The hon. member heard me object !

The Hon. W. J. TRICKETT : Possibly the thing has not been thought out as regards those with only a few pounds to their credit ; but as regards the others, the principle is quite right. The Government Savings Bank is not now being used in accordance with the original intention. It is actually being used, to all intents and purposes, as a bank of deposit and issue, and so long as that takes place, I think it is not unreasonable that depositors should pay some little fee towards the expenses of the bank. This session, although only two items are to be brought before us by the Government, yet they are very important ones. It will require all the acumen, knowledge, and skill of members of both Houses of Parliament to settle this great industrial dispute. I do not not think that any party feeling

ought to be introduced in connection with a measure of arbitration, and I am sure that hon. members will use their best efforts to bring about the solution of this great difficulty as soon as possible.

Question resolved in the affirmative.

The PRESIDENT: I have it in command from his Excellency to say that he will receive the address in reply at "Cranbrook" to-morrow afternoon, at 3 o'clock.

ADJOURNMENT.

The Hon. J. ASHTON moved:

That this House do now adjourn until to-morrow at 2 o'clock.

He said: I should like to ask hon. members to attend in sufficient numbers to form a quorum in order that the address in reply to his Excellency's speech may be presented in due course. I might mention that after the formality of passing the sessional orders is disposed of to-morrow, at present it looks as though the House will be asked to adjourn until to-morrow week.

Question resolved in the affirmative.

House adjourned at 5.50 p.m.

Legislative Assembly.

Tuesday, 10 March, 1908.

Opening of Parliament—The Clerk Subpœnaed—Assent to Bills—Governor's Speech—Temporary Chairmen of Committees—Law of Evidence Bill (*formal*)—President of Water and Sewerage Board—Eastern Trade—Governor's Speech: Address in Reply.

OPENING OF PARLIAMENT.

The House met at noon, pursuant to proclamation of his Excellency the Governor convening Parliament.

The Clerk read the proclamation.

THE CLERK SUBPŒNAED.

Mr. SPEAKER informed the House that during the recess the Clerk had received a subpoena to appear before the Court of Quarter Sessions, at Dubbo, in a personation case, "The Crown *versus* Madden," to produce the writ of election for the electoral district of The Castlereagh, and that he had authorised the production of such writ.

ASSENT TO BILLS.

Royal assent to the following bills reported:—

Loan Bill.
Appropriation Bill.
Poor Prisoners' Defence Bill.
Invalidity and Accidents' Pensions Bill.
Liquor (Amendment) Bill.
Parramatta Friendly Societies' Hall Site (Amendment) Bill.
Wallsend to West Wallsend Tramway Bill.
Mining (Amendment) Bill.
Lockhart to Clear Hills, *via* Boree Creek, Railway Bill.
Narromine to Peak Hill Railway Bill.
Drummoyne to Ryde Electric Tramway Bill.
Public Works (Interest) Bill.
Ministers' Salaries Bill.

GOVERNOR'S SPEECH.

The Usher of the Black Rod being admitted, delivered a message, "That his Excellency the Governor requests the immediate attendance of this honorable House in the Legislative Council Chamber."

The House went, and hon. members having returned,

House adjourned until 4 o'clock p.m.

Mr. SPEAKER took the chair at 4.30 p.m.

TEMPORARY CHAIRMEN OF COMMITTEES.

Mr. SPEAKER, pursuant to standing order No. 28, appointed Niels Rasmus Wilson Nielsen, Esq., John Charles Lucas Fitzpatrick, Esq., Richard Denis Meagher, Esq., Owen Gilbert, Esq., and Robert Scobie, Esq., and to act as Temporary Chairmen of Committees during the present session.

LAW OF EVIDENCE BILL (*Formal*).

Bill presented by Mr. Wade, and read the first time.

PRESIDENT OF WATER AND SEWERAGE BOARD.

Mr. O'SULLIVAN: I wish to ask the Premier if it is a fact as stated generally in town, that the Government has determined to send Mr. Keele back to the Water and Sewerage Board?

Mr. WADE: The hon. member is proverbial for his humour. I may, perhaps, be able to answer this question some time to-night.

Mr. O'SULLIVAN: If it is not attended to, it may cause a riot.